Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006

Message Text

PAGE 01 STATE 175696

44
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TO AMCONSUL CIUDAD JUAREZ PRIORITY
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AMCONSUL HERMOSILLO PRIORITY
AMCONSUL MATAMOROS PRIORITY
AMCONSUL MAZATLAN PRIORITY
AMCONSUL MERIDA PRIORITY
AMEMBASSY MEXICO PRIORITY
AMCONSUL MONTERREY PRIORITY
AMCONSUL NUEVO LAREDO PRIORITY
AMCONSUL TIJUANA PRIORITY

UNCLAS STATE 175696

E.O. 11652: N/A

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SUBJECT: CONGRESSIONAL HEARINGS ON AMERICAN PRISONERS.

1. HOUSE SUBCOMMITTEE ON INTERNATIONAL POLITICAL AND MILITARY AFFAIRS MET IN EXECUTIVE SESSION JULY 21 TO HEAR DEPARTMENT'S REPORT OF ITS FINDINGS ON 15 SELECTED PRISONERS WHO HAD MADE ALLEGATIONS OF ABUSE AND DENIAL OF LEGAL RIGHTS. THESE CASES SELECTED IN CONSULTATION BETWEEN DEPART-
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PAGE 02 STATE 175696

MENT (SCA/SCS) AND CONGRESSMAN STARK'S STAFF FOLLOWING SUB-COMMITTEE HEARINGS OF APRIL 29-30 ON H. RES. 313 (STARK RESOLUTION). DEPARTMENT SENT CONSULAR TEAM TO MEXICO IN JUNE TO TAKE DEPOSITIONS FROM PRISONERS, REVIEW EMBASSY

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006

FILES AND INVESTIGATE OTHER SOURCES OF INFORMATION ABOUT PRISONERS.

2. DEPARTMENT REPORTED TO SUBCOMMITTEE THAT TEAM HAD FOUND THAT SOME OF PRISONERS' ALLEGATIONS OF ABUSE OR DENIAL OF DUE PROCESS WERE SUBSTANTIATED OR PARTIALLY SUBSTANTIATED. ON OTHER HAND, INVESTIGATION FAILED IN SEVERAL CASES TO DEVELOP SUBSTANTIATION OF ALLEGATIONS AND IN SOME CASES FOUND REASON TO DOUBT GOOD FAITH OF ALLEGATIONS. OVERALL PROBLEM HAD ARISEN BECAUSE UNPRECEDENTED THREEFOLD INCREASE IN NUMBER OF PRISONERS IN 1973-74 PERIOD HAD OVERTAKEN BOTH EMBASSY AND DEPARTMENT WITH RESULT THAT FOR A TIME US CONSULAR PROTECTION OPERATIONS IN MEXICO WERE TO AN EXTENT

NOT ADEQUATE TO MEET THE THEN EXISTING NEED. WHILE SITUATION HAS BEEN CONSIDERABLY IMPROVED, FURTHER IMPROVE-MENTS WILL CONTINUE TO BE MADE.

3. CONGRESSMAN STARK, IN BRIEF STATEMENT, CONTESTED DEPARTMENT'S FINDINGS AND ASKED SUBCOMMITTEE TO RECOMMEND TO FULL COMMITTEE THAT H. RES. 313 BE REPORTED FAVORABLY AND TO URGE PRESIDENT TO IMPLEMENT 22 USC 1732. AT END OF QUESTIONING, HOWEVER, SUBCOMMITTEE ACCEPTED DEPARTMENT'S FINDINGS AND DID NOT MOVE TO REFER H. RES. 313 TO FULL COM-MITTEE. RATHER, SUBCOMMITTEE APPROVED DEPARTMENT'S PLAN TO REVIEW CASES OF ALL AMERICANS DETAINED IN MEXICO, INCLUDING ONES LISTED IN H. RES. 313, WITH DEPARTMENT, EMBASSY AND POSTS ADVISING THOSE WITH VALID COMPLAINTS OF POSSIBLE REMEDIES AND, IN GENERAL, DOING EVERYTHING POSSIBLE TO ASSIST THEM WITHIN CONSTRAINTS OF AMERICAN AND MEXICAN LAW. SUBCOMMITTEE WILL MONITOR THIS PROJECT AND RECEIVE PERIODIC REPORTS FROM DEPARTMENT.

4. EMBASSY AND POSTS MAY DRAW ON ABOVE IN RESPONDING TO PRISONER AND OTHER INQUIRIESABOUT JULY 21 HEARING. PRISONERS MAY ALSO BE ADVISED THAT REVIEW OF CASES WILL NOT BE ON CRASH BASIS BUT WILL BE DONE THOROUGHLY AND UNCLASSIFIED

SYSTEMATICALLY IN MONTHS TO COME.

5. DEPARTMENT RECOGNIZES SEVERE DEMANDS PLACED ON EMBASSY AND OTHER POSTS DURING PERIOD OF PREPARATIONS FOR APRIL AND JULY SUBCOMMITTEE HEARINGS AND WARMLY COMMENDS ALL POSTS FOR THEIR EFFORTS. HOW TO PROCEED WITH REVIEW OF ALL PRISONER CASES NOW UNDER CONSIDERATION IN DEPARTMENT AND PROPOSALS WILL BE PRESENTED TO FIELD WITHIN NEXT FEW WEEKS.

6. ONE SET OF ALL DEPARTMENT PRESENTATION MATERIAL TO SUBCOMMITTEE HAS BEEN POUCHED TO EMBASSY. BECAUSE OF ITS BULK, ONLY SELECTED PARTS OF MATERIAL WILL BE SENT TO

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006

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Margaret P. Grafeld
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MATAMOROS
MAZATLAN
MERIDA

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MEXICO
MONTERREY
NUEVO LAREDO
TIJUANA
Type: TE
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